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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/539139 Confirmation No. N/A
Applicant : Eberhard Harms et al.
Filed : June 16, 2005
TC/A.U. : N/A
Examiner : N/A

Title : FILTER DEVICE
Docket No. : FRG-16153
Customer No. : 040854

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is an English translation of the International Preliminary Examination Report for filing in the above-identified application.

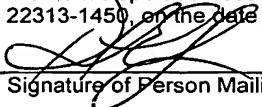
Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

By 
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.


Signature of Person Mailing Paper

9/27/2005
Date

David E. Spaw
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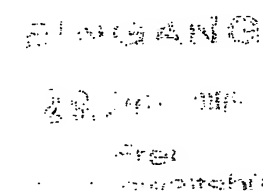


NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

FREI PATENTANWALTSBÜRO AG
Postfach 1771
CH-8032 Zürich
SUISSE

Date of mailing (day/month/year) 28 July 2005 (28.07.2005)	
Applicant's or agent's file reference P2116 PCT	
International application No. PCT/CH2003/000793	IMPORTANT NOTIFICATION International filing date (day/month/year) 02 December 2003 (02.12.2003)
Applicant UTISOL TECHNOLOGIES AG et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AZ, CA, CH, CN, GH, KG, KP, KR, MK, MZ, RU, TM

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, BA, BB, BG, BR, BY, BZ, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EP, ES, FI, GB, GD, GE, GM, HR, HU, ID, IL, IN, IS, JP, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Yolaine Cussac
Facsimile No.+41 22 740 14 35	Facsimile No.+41 22 338 70 80

Translation

PATENT COOPERATION TREATY

PCT/CH2003/000793



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P2116 PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/CH2003/000793	International filing date (day/month/year) 02 December 2003 (02.12.2003)	Priority date (day/month/year) 19 December 2002 (19.12.2002)
International Patent Classification (IPC) or national classification and IPC B01D 33/21		
Applicant UTISOL TECHNOLOGIES AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 02 July 2004 (02.07.2004)	Date of completion of this report 30 March 2005 (30.03.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/CH2003/000793

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 1-9, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-9, filed with the letter of 17 March 2005 (17.03.2005)
- ☒ the drawings:
 pages 1/7-7/7, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/CH 03/00793

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 9	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 9	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 9	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following documents:

D1: EP1149619
D2: FR2799391
D3: EP0662341.

1. Novelty and inventive step

1.1 D1, which is regarded as the closest prior art, discloses a filter of the type in question in which filter elements are mounted rotatably about a horizontal axis, a cavity being formed within the filter elements.

This cavity contains means for generating a stream used to remove or prevent the formation of deposits on the filter surfaces. Furthermore, a person skilled in the art knows from D2 and D3 that a suitable means is provided by introducing gas that flows over the filter surface.

1.2 Proceeding from this prior art, the problem to be solved can be regarded as that of supplying the purge gas to the filter elements in a suitable manner. This is achieved by mounting a stationary

gassing device in the cavity about which gassing device the filter elements rotate and which contains elongated hollow bodies that either extend parallel to the hollow shaft or are arranged horizontally and orthogonally with respect to the hollow shaft. This arrangement enables the purge gas to be supplied in a targeted manner from the cavity to the filter elements, the filter elements rotating past the hollow bodies.

- 1.3 The available prior art does not disclose this type of arrangement, since D2 and D3 describe only gas supply pipes arranged under filter packets. Although D2 also discloses a rotation of the filter plates, the gas supply is directed only into the container and is not targeted by means of specially arranged hollow bodies such that it is supplied directly in between the filter elements. Therefore, the solution indicated in claim 1 of the present application is not rendered obvious by D2. Consequently, the requirements of PCT Article 33(2) and (3) have been met. Claims 2-9 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.

2. Industrial applicability

The industrial applicability is clearly established.